

**Cottonwood Municipal Court**

**Language Access Plan (LAP)**

**I. Legal Basis and Purpose**

This document serves as the plan for the **Cottonwood Municipal Court** to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112). The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with the **Cottonwood Municipal Court**.

This language access plan (LAP) was developed to ensure meaningful access to court services for persons with limited English proficiency. Although court interpreters are provided for persons with a hearing loss, access services for them are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

**II. Needs Assessment**

**A. Statewide**

The State of Arizona provides court services to a wide range of people, including those who speak limited or no English. From a statewide perspective, the following languages were listed with the greatest number of speakers who spoke English less than “Very Well” in Arizona (according to the American Community Survey estimate report from the U.S. Census Bureau dated April 2012):

1. Spanish
2. Navajo
3. Chinese
4. Vietnamese

**B. Cottonwood Municipal Court**

The **Cottonwood Municipal Court** will make every effort to provide services to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court’s geographic area.

1. Spanish

This information is based on data collected from our court's data and statements from court staff.

### **III. Language Assistance Resources**

#### **A. Interpreters Used in the Courtroom**

##### **1. Providing Interpreters in the Courtroom**

In the **Cottonwood Municipal Court**, interpreters will be provided at no cost to LEP court customers (including witnesses, victims and parents or guardians) who need such assistance in all courtroom proceedings.

It is the responsibility of the private attorney, Public Defender or City Prosecutor to provide qualified interpretation and translation services for witness interviews, pre-trial transcriptions and translations and attorney/client communications during out of court proceedings.

##### **2. Determining the Need for an Interpreter in the Courtroom**

The **Cottonwood Municipal Court** may determine whether an LEP court customer needs an interpreter for a court hearing in various ways.

The need for a court interpreter may be identified prior to a court proceeding by the LEP person or on the LEP person's behalf by counter staff, self-help center staff or outside justice partners such as law enforcement, attorneys, or victim advocates.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The **Cottonwood Municipal Court** will display this sign at the following locations: near courtroom entry point or front public counters.

The need for an interpreter also may be made known in the courtroom at the time of the proceeding. In a case where the court is mandated to provide an interpreter, but one is not available at the time of the proceeding, even after the court has made all reasonable efforts to locate one, as previously outlined in this plan, the case will be postponed and continued on a date when an interpreter can be provided.

The **Cottonwood Municipal Court** staff will follow a documented process to identify LEP needs for parties to include:

- Flagging case parties who need interpreting services within the electronic case file in the court's electronic case management system.
- Marking the physical case file exterior "Interpreter Needed" to signify an interpreter needs to be scheduled for all court proceedings.
- Noting in the physical case file minute entry sheet the type of interpreter needed and the

party in the case who needs the interpreter.

### 3. AOC Interpretation Resources

#### Court Interpreter Registry and Listserv

The AOC maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. The court will determine the competence of the persons listed. This roster is available to court staff on the Internet at <http://www.interpreters.courts.az.gov>.

Additionally, AOC created a statewide listserv to allow courts to communicate via email on court interpreter-related matters. The listserv is an excellent resource to locate referrals for specific language needs. If the **Cottonwood Municipal Court** needs access codes or instructions to join the listserv, it can contact Carol Mitchell at 602.452.3965.

#### Video Remote Interpreting

The AOC has installed video conferencing equipment at the State Courts building that will allow courts with compatible technology to remotely conference an interpreter from the Phoenix metro area out to their court to improve resource allocation and reduce time and costs associated with interpreter travel.

### B. Language Services Outside the Courtroom

The **Cottonwood Municipal Court** is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services provided by the court outside the courtroom, including routine contact with court personnel and in situations where LEP litigants are ordered to attend mediation, or a treatment or educational program provided by a court employee or by a private vendor under contract with the court.

The court uses the following resources to facilitate communication with LEP individuals and court staff or providers of court-ordered services:

- Independent interpreter contractors;
- Bilingual employee;
- Multilingual signage throughout courthouse locations in the following languages: Spanish;
- Telephonic interpreter services, (from contract interpreters or an agency); and,
- Callers who speak Spanish will be allowed to speak to a Spanish Speaking employee when one is present, or a message is taken and the Spanish speaking employee will call back when available.
- Video remote interpreting services (where available)
- The terms of the court's contracts with providers of court-ordered services.

To provide linguistically accessible services for LEP individuals, the **Cottonwood Municipal Court** provides the following:

- The Court's website has Spanish instructions on how to navigate to self-help center services and may be directed to Maricopa County Self-Service Center or Administrative Office of the Courts website to receive court information in Spanish.  
<http://www.superiorcourt.maricopa.gov/Espanol/index.asp>  
<http://www.azcourts.gov/elcentrodeautoservicio/Home.aspx>
- The entire time a LEP individual is present in the court, the individual is given the assistance of a court interpreter and/or the assistance of a Spanish Speaking employee.

### **C. Translated Forms and Documents**

The Arizona courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts' services. The **Cottonwood Municipal Court** currently uses forms and instructional materials translated into Spanish.

- Interpreters at court hearings are expected to provide sight translations of court documents and correspondence associated with the case. A Spanish speaking employee assists with documents when an interpreter is not present.
- **Cottonwood Municipal Court** utilizes the AOC forms website:  
<http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx> .

## **IV. Court Staff and Volunteer Recruitment**

### **A. Recruitment of Bilingual Staff for Language Access**

The **Cottonwood Municipal Court** is an equal opportunity employer and recruits and hires bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

- Contracted court interpreters to serve as regular interpreter contractors of the court.
- Court Administrator/Associate Magistrate is Spanish speaking with a degree in Spanish;
- Bilingual staff to serve at public counters and or self-help centers; and
- Bilingual staff available on call (or who will call back) to assist with contacts from LEP individuals, as needed.

## **V. Judicial and Staff Training:**

The **Cottonwood Municipal Court** is committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered will be expanded or continued as needed. Those opportunities include:

- Diversity Training;
- Cultural competency training;
- LAP training;
- Staff attendance in Spanish training, provided by the court in partnership with local colleges and institutions to offer these classes on site and free to employees on court time, or through tuition reimbursement;
- New employee orientation training; and,
- Judicial officer orientation on the use of court interpreters and language competency (which may also be provided at NJO training).
- AOC's Language Access in the Courtroom Training DVD

## **VI. Public Outreach and Education**

To communicate with the court's LEP constituents on various legal issues of importance to the community and to make them aware of services available to all language speakers, the **Cottonwood Municipal Court** provides community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts include:

- Partnerships and collaborations with bar associations, community social service providers, victim advocate agencies, and the city public library to provide a court presence in the LEP community.

The court will solicit input from the LEP community and its representatives through meetings and will seek to inform community service organizations on how LEP individuals can access court services.

## **VII. Formal Complaint Process**

If an LEP court customer believes meaningful access to the courts was not provided to them, they may choose to file a complaint with the trial court's Language Access Plan Coordinator (form attached).

## **VIII. Public Notification and Evaluation of LAP**

### **A. LAP Approval and Notification**

The **Cottonwood Municipal Court's** LAP is approved by the presiding judge and court executive officer. Upon approval, please forward a copy to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and court executive officer for approval, and then forwarded to the AOC. Copies of **Cottonwood Municipal Court's** LAP will be provided to the public in person by request and will be posted on the courts website.

**B. Evaluation of the LAP**

The **Cottonwood Municipal Court** will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed not less frequently than once a year.

Every one or two years the court's Court Administrator will review the effectiveness of the court's LAP and update as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. From time to time, the court may consider using a survey sampling of data collection for a limited time period which involves assessing language access requests to assist in the evaluation of the LAP.

Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters and/or language assistance;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Solicitation and review of feedback from LEP communities within the city;
- Assessment of whether court staff adequately understand LEP policies and procedures and how to carry them out;
- Review of feedback from court employee training sessions; and,
- Customer satisfaction feedback.

**C. Trial Court Language Access Plan Coordinator:**

Janie Randall  
Court Administrator/Associate Magistrate  
Cottonwood Municipal Court  
665 East Mingus Ave.  
Cottonwood, AZ 86326  
(928) 634-7537

**D. AOC Language Access Contact:**

Carol Mitchell, Court Access Specialist  
Court Services Division  
Administrative Office of the Courts  
1501 W. Washington Street, Suite 410  
Phoenix, AZ 85007  
(602) 452-3965, [cmitchell@courts.az.gov](mailto:cmitchell@courts.az.gov)

**E. LAP Effective date:** July 15, 2014

**F. Approved by:**

COTTONWOOD MUNICIPAL COURT

LAP,

Page 7 of 7

Presiding Judge: Hon. A. Douglas LaSota Date: June 16, 2014

Court Administrator: Janie Randall Date: June 16, 2014